

UNITED STATES District Court
Western Pennsylvania
Erie PA 16501

DERRICK RANKINE C.A.#04-100ERIE.

VS.

Superintendent Folino et al.

To The Chief Justice and Judges of Said Court

Plaintiff, DERRICK RANKINE, now SWEARS UNDER OATH and the penalty of perjury pursuant to 18 U.S.C.A. § 1746 that on April 28, 2006, AFTER the status hearing the Plaintiff, checked Plaintiff's record and found that:

(a) Plaintiff did attempted to SERVED all six named defendants Leggett, Johnson, Schmapp, Bowlin, Hargrove and Henderson, and these defendants REFUSED to ACCEPTED SERVICE and instructed the Plaintiff to SEND their complaints to "their lawyer".

(b) Plaintiff then mailed their complaint to the defendants' counsel and Secretary JEFFERY BEARD.

(c) Plaintiff then contacted the United States Marshall Service to HAVE the SUBPOENA SERVED ON the defendants, and the Marshall Service informed Plaintiff that the Marshall Service cannot SERVED

(2) The Supplemental Complaints Without an order from Judge Baxter to make such service.

d) Plaintiff then mailed a request to this Court in December 2004 to have the Marshall Service served the defendants, which the Court have not done as yet.

Since Plaintiff is proceeding in forma pauperis it is the Court's responsibility to make sure that the Marshall Service made service on all defendants, once the Complaints are received by the Court. Moreover, Plaintiff is forced to proceed without the assistance of counsel. *Garvin V City of Philadelphia* 354 F.3d 215, 220 (CA-3 PA 2003).

Moreover a motion to supplement a complaint or brief should be granted freely. *Id Foreman V Davis* 371 U.S. 178, 182-183, 83 S.Ct. 227 (1962).

Wherefore, Plaintiff prays that the Court would issue an order to have all unserved defendants served by the United States Marshall. So let it be done.

Respectfully Submitted
Derrick Rankine

EU 5850

SCI- FAYETTE

P.O. BOX 9999

LABELLE PA 15450

FILED

06 MAY -4 10:30

CLERK
U.S. DISTRICT COURT

04/28/06